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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,149	07/23/2001	Douglas LaVell Hale	2107P	3982

29141 7590 12/07/2004

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EXAMINER
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NORRIS, TREMAYNE M

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/912,149

**Applicant(s)**

HALE ET AL.

**Examiner**

Tremayne M. Norris

**Art Unit**

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-31 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 23 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Fischer (US pat 5,214,702).

Regarding claim 1, Fischer teaches a method for accepting certificates in a network, the network including a remote system and a local system, comprising the steps of:

(a) receiving a certificate issued by a third party from a remote system by a local system, wherein the certificates comprises at least one attribute (col.10 lines 57-65);

(b) performing local due diligence at the local system on the certificate (col.3 line 59 thru col. 4 line 2);

(c) determining if the certificate is valid based on the local due diligence (col.3 line 59 thru col. 4 line 2); and

(d) creating an override certificate to add or modify at least one attribute of the certificate, if the certificate is determined to be valid (col.25 lines 64-67; col.26 lines 43-51).

Regarding claim 2, Fischer teaches the certificate contains an identity of a remote user at the remote system (col.3 lines 59-64).

Regarding claim 3, Fischer teaches determining if the third party is a trusted party (col.3 line 66 thru col.4 line 2).

Regarding claim 4, Fischer teaches the local due diligence is defined by a local user at the local system (col.3 line 66 thru col.4 line 2).

Regarding claim 5, Fischer teaches determining if the certificate is valid based on the local due diligence instead of relying on a due diligence performed by the third party (col.3 line 66 thru col.4 line 2; col.20 lines 24-26).

Regarding claim 6, Fischer teaches determining if the certificate is valid based on the local due diligence performed by the third party (col.3 lines 7-11; col.4 lines 12-18).

Regarding claim 7, Fischer teaches the at least one attribute comprises a trust level from a gradation of trust level (col.13 lines 1-10).

Regarding claim 8, Fischer teaches the override certificate is an extension of the certificate issued by the third party (col.25 lines 64-67; col.26 lines 43-51).

Regarding claim 9, Fischer teaches the override certificate replaces a previously created override certificate (col.18 lines 46-55; col.20 lines 34-40).

Regarding claim 10, Fischer teaches the override certificate replaces a previously created override certificate (col.18 lines 46-55; col.20 lines 34-40).

Regarding claim 11, Fischer teaches granting access to the local system to a remote user at the remote system according to attributes in the override certificate (col.18 lines 46-55; col.20 lines 34-40).

Regarding claim 12, Fischer teaches denying access to the local system if the certificate is determined to be invalid (col.18 lines 46-55; col.20 lines 34-40).

Regarding claim 13, Fischer teaches a system, comprising:  
a remote System connected to a network (col.9 lines 28-50);  
a local system connected to the network, wherein the local system comprises (col.9 lines 28-50):

a certificate issued by a third party and received from the remote system (col.3 line 59 thru col.4 line 2), and

an override certificate, wherein the override certificate adds or modifies at least one attribute of the certificate based on local due diligence performed at the local system (col.18 lines 46-55; col.19 lines 24-34).

Regarding claim 14, Fischer teaches the override certificate adds or modifies the at least one attribute of the certificate based on the local due diligence performed at the local system instead of relying on due diligence performed by the third party (col.3 line 59 thru col. 4 line 2; col.18 lines 46-55; col.19 lines 24-34).

Regarding claim 15, Fischer teaches the override certificate adds or modifies the at least one attribute of the certificate based on the local due diligence performed at the local system and a due diligence performed by the third party (col.3 line 59 thru col. 4 line 2; col.3 lines 7-11; col.4 lines 12-18; col.18 lines 46-55; col.19 lines 24-34; col.20 lines 34-40).

System claims 16-19 are substantially equivalent to method claims 8-11 respectively, therefore claims 16-19 are rejected for the same reasons.

Computer readable medium claims 20-31 are substantially equivalent to method claims 1-12 respectively, therefore claims 20-31 are rejected for the same reasons.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tremayne M. Norris whose telephone number is (571) 272-3874. The examiner can normally be reached on M-F 7:30AM-5:00PM alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tremayne Norris

November 22, 2004



Andrew Caldwell  
Andrew Caldwell